

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

UNITED STATES OF AMERICA

RESPONDENT

v.

Criminal No. 6:17-cr-60014
Civil No. 6:19-cv-06128

TODD MCDONALD

MOVANT

ORDER

Before the Court is the Report and Recommendation filed April 2, 2020, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 63). Judge Bryant recommends that Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By a Person in Federal Custody (ECF No. 57) be denied. Judge Bryant also recommends denying Movant a certificate of appealability.

Movant has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court finds no clear error warranting a departure from the Report and Recommendation. Therefore, the Court adopts the Report and Recommendation (ECF No. 63) *in toto*. Accordingly, Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By a Person in Federal Custody (ECF No. 57) is hereby **DENIED**. Further, the Court declines to issue a certificate of appealability in this matter.

IT IS SO ORDERED, this 17th day of April, 2020.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge